

Apprenticeship Apportionment Funding TBL

Sections 8152, 79149.1, 79149.3, and 76350 of the Education Section Code are Amended to Read:

Sec. 1.

79149.1 **(a) Attendance of apprentices enrolled in any class offered by a community college in collaboration with an apprenticeship program sponsor, for which college credit is earned, and pursuant to Section 3074 of the Labor Code, may be reimbursed pursuant to Section 84750.5 or its successor section if such attendance is not reported pursuant to Section 79149.3. Any apprenticeship class reimbursed pursuant to Section 84750.5 or its successor section must be reported separately to the Chancellor of the California Community Colleges.**

(b) Attendance of apprentices enrolled in any class maintained by a community college, pursuant to Section 3074 of the Labor Code, shall be reimbursed pursuant to Section 79149.3 only if reported separately to the Chancellor of the California Community Colleges and not reported for reimbursement pursuant to Section 84750.5 or its successor section. Attendance reported pursuant to this section shall be used only for purposes of calculating allowances pursuant to Section 79149.3.

(c) Any community college funding a class for the training of apprentices offered by another provider will not claim apportionment reimbursement pursuant to Section 84750.5 or its successor section, but must use reimbursement by related and supplemental instruction pursuant to Section 79149.3 for such classes.

(d) A community college may limit enrollment in a community college course or course section solely to apprentices if that course is required for those students as a part of a registered apprenticeship program with the Division of Apprenticeship Standards in the Department of Industrial Relations.

Sec. 2.

79149.3. (a) The reimbursement rate **for related and supplemental instruction reimbursement pursuant to this chapter** shall be established in the annual Budget Act and the rate shall be commonly applied to all providers of instruction specified in subdivision (d).

(b) For purposes of this section, each hour of teaching time may include up to 10 minutes of passing time and breaks.

(c) This section also applies to isolated apprentices, as defined in Section 3074 of the Labor Code, for which alternative methods of instruction are provided.

(d) The Chancellor of the California Community Colleges shall make the reimbursements specified in this section for teaching time provided by community colleges.

(e) The hours for related and supplemental instruction derived from funds appropriated pursuant to subdivision (b) of Section 79149 shall be allocated by the Chancellor of the California Community Colleges directly to participating community colleges that contract with apprenticeship programs pursuant to subdivision (f).

(f) Reimbursements may be made under this section for related and supplemental instruction provided to indentured apprentices only if the instruction is provided by a program approved by the Division of Apprenticeship Standards of the Department of Industrial Relations in accordance with Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code.

(g) The initial allocation of hours for related and supplemental instruction pursuant to subdivision (e) at the beginning of any fiscal year when multiplied by the hourly rate established in the Budget Act for that year shall equal 100 percent of total appropriation for apprenticeships. The Chancellor of the California Community Colleges shall notify participating community colleges of the initial allocation within 30 days of the enactment of the annual Budget Act.

(h) If funds remain from the appropriation pursuant to subdivision (b) of Section 79149, the Chancellor of the California Community Colleges shall reimburse community colleges for unfunded related and supplemental instruction hours from any of the three previous fiscal years, in the following order:

(1) Reported related and supplemental instruction hours as described in subdivision (b) of Section 79149.5 that were paid at a rate less than the hourly rate specified in the Budget Act.

(2) Reported related and supplemental instruction hours that were not reimbursed.

(i) The Chancellor of the California Community Colleges shall report to the California Apprenticeship Council within 30 days of each apportionment period the following information for each participating community college:

(1) The number of related and supplemental instruction hours allocated to the community college.

(2) The number of related and supplemental instruction hours reported by the community college.

(3) At the final or recalculation apportionment, the hourly rate paid for related and supplemental instruction hours reported above the community college's initial allocation of hours for related and supplemental instruction.

(j) The Board of Governors of the California Community Colleges shall include instructions necessary to enforce this article in the audit report required by Section 84040. The instructions shall include, but not necessarily be limited to, procedures for verifying if the hours for related and supplemental instruction reported to each community college district by a participating apprenticeship program sponsor, pursuant to this section, are eligible for reimbursement pursuant to this section.

Sec. 3.

76350. Except as provided in Section 3074.7 of the Labor Code, no charges or fees shall be required to be paid by a resident or nonresident apprentice, or by his or her parent or guardian, for admission or attendance in any community college course or course of activity that is offered pursuant to Section 3074 of the Labor Code in accordance with the instructional hours or course requirements specified in subdivision (d) of Section 3078 of the Labor Code.

Sec. 4.

8152. (a) The reimbursement rate **for related and supplemental instruction reimbursement pursuant to this chapter** shall be established in the annual Budget Act and the rate shall be commonly applied to all providers of instruction specified in subdivision (d).

(b) For purposes of this section, each hour of teaching time may include up to 10 minutes of passing time and breaks.

(c) This section also applies to isolated apprentices, as defined in Section 3074 of the Labor Code for which alternative methods of instruction are provided.

(d) The Chancellor of the California Community Colleges shall make the reimbursements specified in this section for teaching time provided by local educational agencies.

(e) The hours for related and supplemental instruction derived from funds appropriated pursuant to subdivision (b) of Section 8150 shall be allocated by the Chancellor of California Community Colleges directly to participating local educational agencies that contract with apprenticeship programs pursuant to subdivision (f).

(f) Reimbursements may be made under this section for related and supplemental instruction provided to indentured apprentices only if the instruction is provided by a program approved by the Division of Apprenticeship Standards of the Department of Industrial Relations in accordance with Chapter 4 (commencing with Section 3070) of Division 3 of the Labor Code.

(g) The initial allocation of hours made pursuant to subdivision (e) for related and supplemental instruction at the beginning of a fiscal year, when multiplied by the hourly reimbursement rate, shall equal 100 percent of the total appropriation for apprenticeships. The Chancellor of the California Community Colleges shall notify participating local educational agencies of the initial allocation within 30 days of the enactment of the annual Budget Act.

(h) If funds remain from the appropriation pursuant to subdivision (b) of Section 8150 , the Chancellor of the California Community Colleges shall reimburse local educational agencies for unfunded related and supplemental instruction hours from any of the three previous fiscal years, in the following order:

(1) Reported related and supplemental instruction hours, as described in subdivision (b) of Section 8154, that were paid at a rate less than the hourly rate specified in the Budget Act.

(2) Reported related and supplemental instruction hours that were not reimbursed.

(i) The Chancellor of the California Community Colleges shall report to the California Apprenticeship Council within 30 days of each apportionment period the following information for each participating local educational agency:

(1) The number of related and supplemental instruction hours allocated to the local educational agency.

(2) The number of related and supplemental instruction hours allocated to the local educational agency.

(3) At the final or recalculation apportionment, the hourly rate paid for related and supplemental instruction hours reported above the local educational agency's initial allocation of hours for related and supplemental instruction.